

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

2008 JUL -7 AM 10:43

**UNITED STATES OF AMERICA,**

Magistrate Case No.

Plaintiff,

'08 MJ 2048

v.

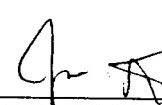
COMPLAINT FOR VIOLATION OF:**Joel PUEACO-Lopez,**Title 8 U.S.C., Sec. 1324 (a)(2)(B)(iii)  
Bringing in Illegal Aliens Without  
Presentation

Defendant(s)

The undersigned complainant, being duly sworn, states:

On or about **July 5, 2008**, within the Southern District of California, defendant **Joel PUEACO-Lopez**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Gabriel ESPINDOLA-Buendia, Eduardo MAGALENO-Bustamante, Israel MEZA-Aguilar**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
\_\_\_\_\_  
SIGNATURE OF COMPLAINANT  
James Trombley  
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 7th DAY OF JULY 2008

  
\_\_\_\_\_  
William McCurine Jr.  
UNITED STATES MAGISTRATE JUDGE

### PROBABLE CAUSE STATEMENT

Furthermore, the complainant states that **Gabriel ESPINDOLA-Buendia, Eduardo MAGALENO-Bustamante, and Israel MEZA-Aguilar**, are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On July 5, 2008, Border Patrol Agent M. Villalobos was performing assigned duties in an area approximately four miles west of the San Ysidro, California Port of Entry and is approximately 500 yards north of the United States / Mexico International Boundary. Agent Villalobos responded to the inside scope operator's observation of a group of people running northbound from the United States/Mexico International Boundary fence and dropping down into a draw. After a brief search of the area, Agent Villalobos found a group of twelve individuals attempting to conceal themselves in a large rut. After securing the twelve individuals, Agent Villalobos performed another search of the area and found one more individual attempting to conceal himself by hiding north and away from the rest of the group. Agent Villalobos identified himself as a Border Patrol Agent and conducted an immigration inspection of each of the subjects. Each of the subjects, including the individual who had separated himself from the rest of the group who was later identified as the defendant **Joel PUEACO-Lopez**, admitted to being citizens and nationals of Mexico without any immigration documents that would allow them to enter or remain in the United States legally. Agent Villalobos arrested each of the subjects at approximately 6:00 PM and arranged for transportation to the Imperial Beach Border Patrol Station for processing.

### DEFENDANT STATEMENT: Joel PUEACO-Lopez

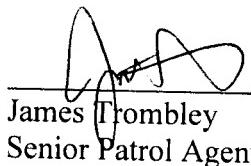
The defendant was read his Miranda rights. The defendant stated that he understood his rights and was willing to answer questions without a lawyer present. The defendant once again admitted to being a citizen and national of Mexico present in the United States without legal documentation to enter or remain in the United States legally.

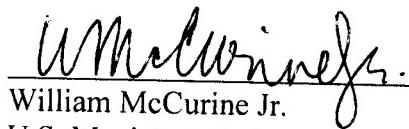
The defendant stated that he illegally crossed the United States / Mexico International Boundary illegally guiding the group into the United States. The defendant stated that his plan was to guide them to a specific location where he would leave the group and continue north towards San Diego, California. The defendant stated that before he crossed into the United States, he was at a high point where he could visually see where in the United States he was going to lead the group. The defendant stated that he knew this area because he has crossed in this area before. The defendant stated that while he was guiding the group, he was in front of the group. The defendant stated that he was in the front of the line of individuals when they came out of a tunnel and that he led the group from the front as he walked and ran northward with them after crossing the United States / Mexico International Boundary.

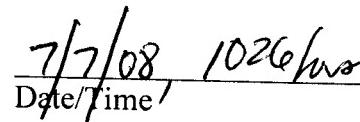
**CONTINUATION OF COMPLAINT:**  
**Joel PUEACO-Lopez**

**MATERIAL WITNESSES STATEMENTS:**

Material witnesses **Gabriel ESPINDOLA-Buendia, Eduardo MAGALENO-Bustamante** and **Israel MEZA-Aguilar** agree in summary that they are citizens and nationals of Mexico illegally present in the United States. They admit to entering the United States illegally. The material witnesses stated that they were to pay \$2,400.00 to \$3,000.00 (US) to be smuggled into the United States. Material witnesses were shown a photographic line up and were able to identify the defendant Joel PUEACO-Lopez as the foot guide.

  
\_\_\_\_\_  
James Trombley  
Senior Patrol Agent

  
\_\_\_\_\_  
William McCurine Jr.  
U.S. Magistrate Judge

  
\_\_\_\_\_  
Date/Time,